

*An audio recording and transcript was made of these proceedings. The recording and the full commission agenda is available on the Ports website: [www.portofbrookingsharbor.com](http://www.portofbrookingsharbor.com) and the transcript is available only by request at the Port Office.*

## **PORT OF BROOKINGS HARBOR**

### **Board of Commissioners**

#### **Regular Meeting Agenda**

Harbor Fire / Harbor Water District  
Conference Room  
98069 W Benham Lane  
Harbor OR 97415

**Tuesday, August 21, 2018 • 6:00 pm**

Commissioners present: Position 1, Secretary Joe Speir, Position 2, Commissioner Wesley Ferraccioli, Position 3, Chairman Roy Davis, Position 4, Vice Chairman Richard Heap, and Position 5, Secretary/Treasurer Kenneth Range. Also present were, Kathy Lindley Hall, Interim Manager, Martha Rice, Port Attorney, participating staff members and members of the public.

#### **1. Call to Order, Pledge of Allegiance, and Roll Call:**

Davis called the meeting to order at 6:00 pm. Board and audience stated the pledge of allegiance.

#### **2. Approval of Agenda:**

Heap moved to approve the agenda as written. Motion passed 5-0.

#### **3. Executive Session ORS 192.660 (2)(e), ORS 192.660 (2)(h), and ORS 192.660 (2)(f):**

Board went into executive session at 6:03 pm.

e. To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

f. To consider information or records that are exempt by law from public inspection.

h. To consult with counsel concerning legal rights and duties regarding current litigation and litigation likely to be filed.

Adjourn out of executive session and reconvene into regular session at 7:26 pm.

Heap moved to accept Jane Stebbins withdrawal as counsel and move to approve Martha Rice as Counsel. Second by Range. Motion passed 5-0.

#### **4. Agenda Related Public Comments:**

Mike Frederick: regarding the ground use agreement form. Mr. Frederick suggested a review program to analyze events. Heard a rumor about an issue with parking and motioned that he has used a shuttle service in the past. The section in the agreement that states "as is" which he agrees with but the "as is" has changed since this agreement was put in place. They are receiving less but are being charged the same price. Does not agree with being charged for setup time and tear down time.

**5. Minutes to be accepted:**

- a. Friday, June 15, 2018, Special Meeting
- b. Tuesday, June 19, 2018, Regular Meeting
- c. Friday, June 27, 2018, Special Meeting
- d. Tuesday, July 17, 2018, Regular Meeting
- e. Monday, July 23, 2018, Special Meeting

Speir made a motion to accept those minutes. Heap noticed that in June 15<sup>th</sup> meeting minutes under approval of the agenda it shows that he made the motion and second it and that needs to be changed. The board agreed to approve all minutes with that one change to June 15<sup>th</sup>. Second by Range. Motion passed 5-0.

**6. Financial Review:**

The board didn't have any questions. Range made a motion to approve the financial review. Second by Heap. Motion passed 5-0.

**7. Manager's Report & Operational Report:**

Lindley-Hall read over her Managers report, and Harbormaster Travis Webster's operational report. Davis gave an update to the board regarding the Coast Guard Vessel and will go to the Maritime Museum and bring back some information.

**8. Old Business:**

- a. Enterprise Zone:

Tracey Loomis was present for the board to ask any other questions they may have. Range needed more information on taxes. The board asked about the process. Range made a motion to approve Port of Brookings Harbor Resolution 492. Second by Speir. Motion passed 5-0.

- b. Transient Dock by Boat Ramp:

Heap is requesting to amend ordinance number one, which takes two meetings to complete. Heaps proposal is; move to amend ordinance number one as follows. Add 4.23.1, no commercial use of the boat ramp transit dock in basin one will be allowed. Commercial use includes the offloading of catch for delivery to a business vehicle or other conveyance. Amend 4.39.1 to read the existing language is there shall be no public parking except in areas so designated by the Port of Brookings Harbor. I'm adding language, areas where public parking is expressly prohibited include the launch ramp parking area, except as designated for daily use by vehicles towing boat

trailers, and single car parking and designated areas; the boat wash lanes and approach lanes except when washing trailer boat; other areas deemed as necessary to ensure compliance with grant agreements. Second by Ferraccioli. Motion passed 5-0.

c. Culvert Repair:

Lindley-Hall explained that we have exposed the culvert in basin one and waiting on a plan to bring you.

d. Harbor Sanitary Credits:

Lindley-Hall explained that when Fely's and the laundry mat were demolished we received Harbor Sanitary credits. Range explained to the board why he does not agree to give away credits. Range made a motion that we draft a resolution prohibiting the credits that we get from the Harbor Sanitary to be transferred to anybody, any private business without the board approval. Second by Speir. Motion passed 5-0. Range believes that everything right now is just a "Band-Aid". Range made a motion that we have Jack Akin get a hold of Harbor Sanitary staff and see if they can come up with a solution to put in a sand trap, sand separator. Range made a motion we spend up to a thousand dollars in the feasibility of putting in a sand separator and some costs. Second by Davis. Motion passed 5-0.

**9. New Business:**

a. J. Sloane:

No discussion necessary per Port Counsel.

b. Ground User Agreement Form:

Heap would like to revise the ground user agreement form and is willing to meet with the event sponsors. The board agreed, and Heap will get with Ms. Shepard to set up a meeting day.

c. Green Building Work Group – Connie Hunter:

Mrs. Hunter gave her background in development work, talked about partners and who the Port would want to contact in regard to the Coast Guard Vessel. The board advised Mrs. Hunter to email Ms. Lindley-Hall with this information. Mrs. Hunter than started talking about the green building, and that there are a few things she needs to know to be able to get potential funders. Requested a letter from the board with our permission to move forward. Has created three different business plans and has created a fundraising plan for each one. Believes funding can be in place in about a year and a plan together in about 4 months. The board had a few questions for her, like her enthusiasm, and recommended that she put together a list of her needs and questions, give it to staff and we can get you those answers for her.

**10. Commissioners Report:**

Range went over the salmon season, which officially ends on the 26<sup>th</sup>. Davis is pleased that the property next to State Farm is getting de-brushed and cleaned up. No other commissioner reports.

**11. Non-Agenda Related Public Comments:**

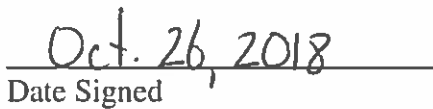
Barbara Ciaramella: was no longer present.

**12. Adjournment**

Davis adjourned the meeting at 9:05 pm.

  
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President

  
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Secretary

  
\_\_\_\_\_  
Date Signed

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